

REMARKS

Reconsideration of the subject application is respectfully requested.

Claim 37 has been amended to more clearly define over the cited prior art by reciting that the body has topmost and bottommost walls interconnected by a side wall (see the top wall 45 joined to the bottom wall 42 by a side wall in the disclosed preferred embodiments), and that the expansion of the tissue disposal section (step c) is performed by expanding the side wall such that the bottommost wall moves away from the topmost wall.

In contrast, the Giovine and Davies patents have topmost and bottommost walls that are fixed against movement toward and away from one another (e.g., see the top and bottom walls of the container element 12 of Giovine; and the top and bottom walls of the container 10 of Davies). Thus, it will be appreciated that the manner of expanding the body of the presently claimed invention is markedly different from that of either Giovine and Davies.

The Smith et al. patent does not teach an expandable body.

Accordingly, it is submitted that the claims of the presently claimed invention distinguish patentably over the prior art currently applied against the claims.

Respectfully submitted,

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